

REMARKS

The present invention relates to HveA-binding peptides which affect the interaction of cellular HveA with herpes simplex virus gD and which, in turn, inhibits HSV entry into a cell.

The above-captioned application is a divisional application of U.S. Patent Application No. 09/784,887, filed February 16, 2001 (the "parent application"), now allowed.

This application is being filed to prosecute an invention that was not elected in the parent application. Claims 1-6 and 8 have been canceled herein as being allowed in the parent application. Claim 7 has been amended herein to be in independent form, wherein claim 7 merely incorporates the subject matter of originally filed claim 1. Therefore no new matter has been added by this amendment.

The specification has been amended to incorporate priority information and governmental funds. The specification has also been amended to add an abstract to the application. No new matter has been added by way of these amendments.

Amendments to the Specification

The specification has been amended herein to properly reflect the priority information of the present Application. In particular, page 1 of the specification has been amended to indicate that the present Application is a divisional of U.S. Application 09/784,887, filed February 16, 2001, which is a continuation of PCT Application No. PCT/US99/18736, filed on August 18, 1999, which claims priority to U.S. Provisional Application No. 60/096,993, filed August 18, 1998, now abandoned. No new matter has been added by way of the present Amendment, as the present Amendment merely serves to point out the relationship of the prior applications to the present application.

The specification has also been amended herein to properly indicate that the present invention was made in part using funds obtained from the U.S. Government. Therefore no new matter has been added by way of this amendment.

The specification has also been amended herein to properly add an abstract section to the application. Applicants respectfully point out that the present abstract is identical to the abstract filed in International Application No. PCT/US99/18736 and published on the face

of International Publication Number WO 00/10591. Thus, the amendments to the specification do not add new matter.

Claims

By restriction requirement mailed on June 7, 2002 (Paper No. 13) in the parent application, original claims 1-22 were restricted into seven (7) groups. By response filed December 6, 2002, in the parent application, Applicants elected the claims of Group I for prosecution. The parent application having been allowed, the instant application serves to prosecute the non elected invention in the parent application.

Further, Applicants have canceled, without prejudice, original claims 1-6 and 8, which are now allowed. Applicants reserve the right to pursue the subject matter of the canceled claims in any later continuation and/or divisional application(s). Claim 7 has also been amended to incorporate the subject matter of originally filed claim 1. That is, claim 7 has been amended merely to be rewritten in independent form.

Accordingly, claims 7 and 9-22 are pending and under consideration following entry of the present Amendment.

Summary

Applicants respectfully submit that each of claims 7 and 9-22 is in condition for allowance. Consideration and allowance of each of these claims are respectfully requested at the earliest possible date.

Respectfully submitted,

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